

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–617(b) and(h)(2)

Annotated Code of Maryland

(2004 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

10–617.

(a) Unless otherwise provided by law, a custodian shall deny inspection of a part of a public record, as provided in this section.

(b) (1) IN THIS SUBSECTION, “DISABILITY” HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT, ARTICLE 49B, § 20 OF THE CODE.

(2) Subject to paragraph (2) (3) of this subsection, a custodian shall deny inspection of the part of a public record that contains:

(I) medical or psychological information about an individual, other than an autopsy report of a medical examiner; OR

(II) PERSONAL INFORMATION ABOUT AN INDIVIDUAL WITH A DISABILITY OR AN INDIVIDUAL PERCEIVED TO HAVE A DISABILITY.

(2) (3) (H) A custodian shall permit the person in interest to inspect the public record to the extent permitted under § 4–304(a) of the Health – General Article.

(4) THIS SUBSECTION DOES NOT APPLY TO:

(I) A NURSING HOME, AS DEFINED IN § 19–1401 OF THE HEALTH – GENERAL ARTICLE; OR

(II) AN ASSISTED LIVING PROGRAM, AS DEFINED IN § 19–1801 OF THE HEALTH – GENERAL ARTICLE.

(H) IF A CUSTODIAN PROVIDES THE HOME ADDRESS OF AN INDIVIDUAL WITH A DISABILITY OR AN INDIVIDUAL PERCEIVED TO HAVE A DISABILITY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE CUSTODIAN SHALL REDACT ALL INFORMATION THAT IDENTIFIES THE LOCATION AS THE HOME ADDRESS OF AN INDIVIDUAL WITH A DISABILITY OR AN INDIVIDUAL PERCEIVED TO HAVE A DISABILITY.

(h) (2) A custodian shall permit inspection of the part of a public record that gives:

(i) the name of the licensee;